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DISTRICT OF MASSACHUSETTS**

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**UNITED STATES OF AMERICA**

**v.**

**Case Number: 19-mc-91534**

**SHAWN RICHARDSON,  
Defendant.**

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**ASSENTED TO MOTION FOR ENDS-OF-JUSTICE CONTINUANCE OF TIME FOR  
FILING AN INDICTMENT OR INFORMATION, AND EXCLUSION OF TIME,  
UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through Assistant United States Attorney David G. Tobin, respectfully moves this Court to grant a continuance of the time within which an Indictment or Information must be filed as to said defendant to January 23, 2020, and exclude the time period from December 7, 2019, through January 23, 2020, from the speedy trial clock, pursuant to the Speedy Trial Act ("STA"), 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the grounds that the ends of justice served by granting the requested continuance and excluding this period outweigh the best interests of the public and the defendant in a speedy trial. The United States further asks this Court to issue the attached proposed *Order of Continuance and Excludable Delay*. In support of this request, the government states as follows:

1. On October 30, 2019, Shawn Richardson ("Defendant") was charged by criminal complaint with Telephone Threat to Injure by Means of an Explosion, in violation of 18 U.S.C. § 844(e). (Case No. 19-mj-7426-JCB). On November 4, 2019, Defendant made his initial

appearance before Magistrate Judge Jennifer C. Boal, at which the United States moved to detain the defendant. On November 7, 2019, the defendant waived his right to a probable cause hearing and was released from pretrial detention with conditions. The 70-day Speedy Trial clock began to run the following day on November 8, 2019.

2. The requested exclusion of time will afford the parties sufficient time to explore the possibility of resolving the case without an Indictment or trial.

3. The defense assents to this motion.

4. A proposed order is attached.

Respectfully submitted,

ANDREW E. LELLING  
United States Attorney

By: /s/ David G. Tobin  
DAVID G. TOBIN  
Assistant U.S. Attorney

Dated: December 5, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document will be provided to Attorney Jeffrey K. Clifford, counsel for Defendant.

By: /s/ David G. Tobin  
DAVID G. TOBIN  
Assistant U.S. Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>UNITED STATES OF AMERICA</b>  <b>v.</b>  <b>SHAWN RICHARDSON,</b>  <b>Defendant.</b>	<b>Case No. 19-mc-91534</b>
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**ORDER OF CONTINUANCE AND EXCLUDABLE DELAY**

Upon consideration of the assented to motion of the government seeking an order of continuance and excludable delay, the Court finds as follows:

1. Said parties have been engaged in preliminary discussions, and intend to engage in discussions, regarding the possible resolution of this matter (which was initiated by a criminal complaint in *United States v. Shawn Richardson* (19-mj-7426-JCB). The requested continuance of the time in which an Indictment or Information must be filed will permit defense counsel to adequately confer with Defendant, and allow the parties to address the matter fully, before the government is required to seek an Indictment or Information. Such a resolution would help to conserve the scarce resources of the Court and the parties as well as provide the parties and the public with certainty as to the outcome of the proceeding.

2. Accordingly, the ends of justice served by granting the requested continuance, and excluding the time period from December 7, 2019, through and including January 23, 2020, from the speedy trial clock, outweigh the best interests of the public and Defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and

5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008).

Accordingly, the Court hereby grants the motion and **ORDERS** that, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases*, the period from December 7, 2019, through and including January 23, 2020, is excluded from the speedy trial clock and from the time within which an Indictment or Information as to Defendant must be filed.

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UNITED STATES DISTRICT JUDGE

Date: